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1 Lori E. Andrus
lori@andrusanderson.com
2 Jennie Lee Anderson
jennie@andrusanderson.com
3 **ANDRUS ANDERSON LLP**
155 Montgomery Street, Suite 900
4 San Francisco, CA 94104

5 David M. Arbogast
darbogast@law111.com
6 Jeffrey K. Berns
jberns@law111.com
7 **ARBOGAST & BERNS LLP**
6303 Owensmouth Ave., 10th Floor
8 Woodland Hills, CA 91367

9 *Attorneys for Plaintiff*

10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**
12 **SAN JOSE DIVISION**

13
14 JAY RALSTON, individually and on behalf of
all others similarly situated,

15 Plaintiff,

16 v.

17 MORTGAGE INVESTORS GROUP, INC.;
18 MORTGAGE INVESTORS GROUP, a general
partnership; COUNTRYWIDE HOME LOANS,
19 INC. AND DOES 3-10,

20 Defendants.

Case No. 08-CV-00536 JF (PSG)

**STIPULATION AND [PROPOSED]-
ORDER EXTENDING TIME FOR
PLAINTIFF TO FILE REPLY TO
OPPOSITION OF MORTGAGE
INVESTORS GROUP IN SUPPORT OF
CORRECTED MOTION FOR CLASS
CERTIFICATION**

Courtroom: 3 - 5th Floor
Judge: Hon. Jeremy Fogel

**STIPULATION EXTENDING TIME FOR PLAINTIFF TO FILE REPLY TO OPPOSITION OF
MORTGAGE INVESTORS GROUP IN SUPPORT OF CORRECTED MOTION FOR CLASS
CERTIFICATION**

Pursuant to Civil Local Rules 6-2 and 7-12, plaintiff Jay Ralston ("Plaintiff"), and defendants Mortgage Investors Group, Inc. and Mortgage Investors Group, a general partnership (collectively, "MIG," and, together with Plaintiff, the "Parties"), through their undersigned counsel, stipulate as follows:

WHEREAS, on May 25, 2011, Plaintiff filed a Corrected Motion for Class Certification ("Class Motion") (Dkt. No. 243);

WHEREAS, on August 30, 2011, MIG filed an Opposition to the Class Motion (Dkt. No. 277);

WHEREAS, Plaintiff's Reply in support of the Class Motion currently is due on September 30, 2011 (Dkt. No. 254);

WHEREAS, on September 13, 2011, this Court moved the hearing date on the Class Motion and CHL's Motions from October 14, 2011 to December 9, 2011 (Dkt. No. 287);

WHEREAS, in light of the facts that the Court moved the hearing date and Plaintiff and defendant Countrywide Home Loans, Inc. ("CHL") filed a stipulation extending the due date for Plaintiff to file its reply to the opposition of CHL to October 14, 2011 (Dkt. No. 295), Plaintiff requested, and MIG agreed, to extend the time for Plaintiff to file his Reply to October 14, 2011;

WHEREAS, no trial date has been set;

WHEREAS, the requested time modifications will not have any effect on the schedule for the case;

WHEREAS, this Stipulation is without prejudice to, or waiver of, any rights or defenses otherwise available to the Parties in this action;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, between Plaintiff, by his undersigned counsel, and MIG, by its undersigned counsel, that, subject to the approval of the Court, Plaintiff shall file his Reply to MIG's opposition in support of the Class Motion on or before October 14, 2011.

Respectfully submitted,

Dated: September 26, 2011

/s/ David M. Arbogast
Lori E. Andrus
lori@andrusanderson.com
Jennie Lee Anderson
jennie@andrusanderson.com
ANDRUS ANDERSON LLP
155 Montgomery Street, Suite 900
San Francisco, CA 94104

David M. Arbogast
darbogast@law111.com
Jeffrey K. Berns
jberns@law111.com
ARBOGAST & BERNS LLP
6303 Owensmouth Ave., 10th Floor
Woodland Hills, CA 91367

Lee A. Weiss (admitted *pro hac vice*)
lweiss@bgrfirm.com
BROWNE GEORGE ROSS LLP
626 RXR Plaza
Uniondale, New York 11556

Attorneys for Plaintiff:
Jay Ralston

Dated: September 26, 2011


/s/ Roland P. Reynolds
Roland P. Reynolds
rreynolds@pldlawyers.com
PALMER, LOMBARDI & DONOHUE LLP
515 South Flower Street, Suite 2100
Los Angeles, CA 90071

Attorneys for Defendants
Mortgage Investors Group, Inc. and Mortgage
Investors Group, A General Partnership

~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED

Dated: 9/27/2011


Judge Jeremy Fogel

ECF CERTIFICATION

Pursuant to General Order No. 45, § X.B., the filing attorney attests that he has obtained concurrence regarding the filing of this document from the signatories to the document.

Dated: September 26, 2011

BROWNE GEORGE ROSS LLP
626 RXR Plaza
Uniondale, New York 11556

By: /s/Lee A. Weiss

Attorneys for Plaintiff

PROOF OF SERVICE

I further certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on September 26, 2011.

/s/ Lee A. Weiss

Lee A. Weiss